

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
HA-05 /071 W
-----068577 190130Z /64

R 180824Z JUL 78
FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WAHDC 6444
INFO AMEMBASSY BANGKOK
AMEMBASSY JAKARTA
AMEMBASSY MANILA
AMEMBASSY SINGAPORE
CINCPAC HONOLULU HI

C O N F I D E N T I A L KUALA LUMPUR 7284

CINCPAC FOR POLAD

E. O. 11652: GDS
TAGS: PINT, MY
SUBJ: LIM KIT SIANG TRIAL POSTPONED

REF: A) KUALA LUMPUR 4130 DTG 110851Z MAY 78, B) KUALA
LUMPUR 3590 DTG 270830Z APR 78

1. THE HIGH COURT TRIAL OF DEMOCRATIC ACTION PARTY
(DAP) SECRETARY GENERAL LIM KIT SIANG FOR VIOLATIONS
OF THE OFFICIAL SECRETS ACT, SCHEDULED FOR JULY 17
(REFTEL A), HAS BEEN POSTPONED UNTIL OCTOBER 3.
THE POSTPONEMENT WAS GRANTED JULY 17 BY JUSTICE
AZLAN SHAH TO GIVE LIM "THE FULLEST OPPORTUNITY"
TO OBTAIN THE SERVICES OF A QUEEN'S COUNSEL FROM
THE UNITED KINGDOM.

2. ON JULY 10, IN A SEPARATE BUT RELATED HIGH
COURT ACTION, THE ATTORNEY GENERAL HAD REJECTED AN
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APPLICATION BY LIM THAT LOUIS BLOM-COOPER, A
QUEEN'S COUNSEL (I.E., A PARTICULARLY WELL-
QUALIFIED BRITISH ATTORNEY) BE ADMITTED TO THE
HIGH COURT IN ORDER TO APPEAR AS LEADING COUNSEL
FOR LIM IN THE OFFICIAL SECRETS ACT TRIAL. LIM
APPEALED THAT DECISION TO THE FEDERAL COURT ON
JULY 11, THEN APPLIED TO THE HIGH COURT FOR

POSTPONEMENT OF THE TRIAL ITSELF UNTIL THE ISSUE
OF THE QUEEN'S COUNSEL IS CLEARED UP.

3. IN GRANTING THE REQUEST FOR POSTPONEMENT OF
THE TRIAL, JUSTICE AZLAN SHAH SAID, "IT SEEMS TO
ME THE MATTER IS OF HIGHEST IMPORTANCE AND THE
ACCUSED MUST BE GIVEN THE FULLEST OPPORTUNITY
TO PURSUE THE APPLICATION TO OBTAIN THE SERVICES OF
A QUEEN'S COUNSEL. THE FACT THAT THE ADJOURNMENT
WILL UPSET THE COURT SCHEDULE AND WASTE FUNDS
AND A WITNESS HAS COME FROM WASHINGTON... IS TO
MY MIND IRRELEVANT." FYI. THE WITNESS FROM
WASHINGTON IS PROBABLY COL (NAVY) CHEAH LEONG VOON,
THE MALAYSIAN DEFENSE AND ARMED FORCES ATTACHE,
WHO, WE UNDERSTAND, WAS SUDDENLY RECALLED FROM
WASHINGTON LAST WEEK.

4. THIS CASE DID PLAY A ROLE IN THE RECENT
ELECTION AS WE HAD EXPECTED, BUT IT IS DIFFICULT
TO TELL HOW MUCH INFLUENCE IT HAD ON THE VOTERS.
THE DAP PUT UP POSTERS FOR THE "LIM KIT SIANG/
P. PATTO DEFENSE FUND" ALONG SIDE THEIR POLITICAL
POSTERS DURING THE CAMPAIGN, BUT ALTHOUGH THE
ISSUE WAS DISCUSSED BY DAP POLITICIANS AT INDOOR
RALLIES AND DIALOGUE SESSIONS, THERE WAS A COMPLETE
BLACKOUT ON THE SUBJECT OF THE TRIAL IN THE GOM-INFLUENCED
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MEDIA. IN ANY CASE, BOTH LIM AND PATTO WERE
ELECTED BY WIDE MARGINS TO PARLIAMENTARY AND
STATE ASSEMBLY SEATS IN FOUR SEPARATE AREAS
OF THE COUNTRY. WHATEVER THE GOM'S MOTIVATION
IN THE TIMING OF THEIR ARRESTS, THE JUDICIARY
SEEMS TO BE BENDING OVER BACKWARDS TO ENSURE A
FAIR TRIAL.
MILLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978KUALA07284
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780295-0728
Format: TEL
From: KUALA LUMPUR
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780749/aaaaboun.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e8365171-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 KUALA LUMPUR 4130
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1973516
Secure: OPEN
Status: NATIVE
Subject: LIM KIT SIANG TRIAL POSTPONED
TAGS: PINT, MY, (LIM KIT)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/e8365171-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014